IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 831 OF 2007.

Smt.Anusayabai Punja Samvatsarkar
and others. ... Petitioners.

Versus.

Eknath Lukadu Sali and others. ... Respondents.

Shri M.S.Chatage i/by Shri S./D.Dharmadhikari for the Petitioners.

Shri S.A.Ghaisas for the Respondents Nos.2(1) to 2(4).

CORAM : ABHAY S.OKA, J.

DATED : 16th April, 2007.

P.C.:

1. Heard the learned Advocates appearing for the parties. The Petitioners are the Defendants. The Petitioners applied for amendment of the written statement and the said application has been rejected by order dated 1st November 2006. The Petitioners have taken exception to the said order by filing this writ petition under Article 227 of the Constitution of India. The Application for amendment was made at the fag end of the trial. Considering the nature of the impugned order, the Petitioners can always challenge the said order in an Appeal which may be preferred for challenging the decree passed in the suit. Considering the facts and circumstances of the case, at this stage interference is not possible.

2. Subject to what is stated above, the writ petition is rejected.

Judge.